

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD JULY 25, 2016 GOSHEN, INDIANA**

The Board of Public Works and Safety and Storm Water Board of the City of Goshen met in the Council Chambers, 111 East Jefferson Street on July 25, 2016, at 2:00 P.M. for their weekly Board meeting. Mayor Stutsman was the presiding officer with members of the Board present or absent as follows:

PRESENT: Mayor Stutsman, Board Member Landis

ABSENT: Board Member Day

OTHERS: Clerk-Treasurer Office Assistants, City Attorney, Asst. Fire Chief, Police Chief, Building Inspector Grise, Street Asst. Commissioner, Human Resources Manager, Legal Contracts and Claims Manager, Asst. Superintendent of Waste Water, Utilities 1st Deputy, Administrative Utilities Engineer, Central Garage Fleet Manager, Legal Compliance Administrator.

Minutes of the meeting of May 23rd, and May 27th, 2016 were presented. On motion of Board Member Landis and second by Mayor Stutsman the minutes were approved as presented.

REQUEST TO APPROVE MACOG TRANSIT SERVICES AGREEMENT

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to enter into an agreement with MACOG for Transit Services. This is an annual agreement for a usable form of transportation to certain targeted segments and the general population for a form of a fixed-route bus system known as The Interurban Trolley and Interurban Trolley Access ADA Paratransit Services. MACOG is the recipient of grants from the Indiana Department of Transportation (INDOT) and from the Federal Transit Administration (FTA). The City agrees that said funds shall be used expressly for the purpose of the Program's administration, operation and capital equipment needs as outlined in the annual Elkhart-Goshen Urbanized Area Program of Projects. The City shall make available to MACOG \$62,000.00 in local matching dollars for the project.

Board Member Landis moved to approve the request. Second by Mayor Stutsman and motion passed unanimously.

**REQUEST TO APPROVE TO INSTALL HVAC UNIT IN ALLEY BEHIND 220 SOUTH
MAIN STREET**

Tim Morningstar of Astrum Properties requested Board approval to install an HVAC condenser in the alley on the north side of 220 South Main Street at the end of July. The condenser will be on a shelf 8 to 10' off the ground on the left side of the utility pole. Mr. Morningstar gave pictures to the Board Members to show where exactly the HVAC condenser will be placed.

Board Member Landis moved to approve the request. Second by Mayor Stutsman and motion passed unanimously.

**REQUEST TO APPROVE CLOSURE OF 500 BLOCK OF SOUTH 7TH STREET
FOR NEIGHBORHOOD PICNIC**

Dale Klassen on behalf of the Historic Southside Neighborhood Association requested Board approval of the closing of the 500 block of South 7th Street on Saturday, August 13th, 2016 from 5:00 pm until 8:00 pm for the purpose of a neighborhood association picnic.

Board Member Landis moved to approve the request. Second by Mayor Stutsman and motion passed unanimously.

**REQUEST TO APPROVE CONDITIONAL OFFER OF EMPLOYMENT AGREEMENT
WITH DONALD J. DAESCHLER**

Legal Compliance Administrator Shannon Marks requested Board approval for the Conditional Offer of Employment Agreement with Donald J. Daeschler. This conditional offer was extended on July 1st, 2016. It is recommended that the Board execute the agreement which sets forth the prerequisites to beginning employment with the Goshen Police Department. Donald must first complete and pass the baseline statewide physical and mental examinations, and then the Board of Public Works and Safety will be requested to confirm the offer of employment when a position opening becomes available in the Police Department.

Board Member Landis moved to approve the request. Second by Mayor Stutsman and motion passed unanimously.

**REQUEST TO APPROVE CONDITIONAL OFFER OF EMPLOYMENT AGREEMENT
WITH JUNAID GULZAR**

Legal Compliance Administrator Shannon Marks requested Board approval for the Conditional Offer of Employment Agreement with Junaid Gulzar and execute a Conditional Offer of Employment Agreement which sets forth the prerequisites to beginning employment with the Goshen Police Department. Junaid must first complete and pass the baseline statewide physical and mental examinations, and then the Board of Public Works and Safety will be requested to confirm the offer of employment when a position opening becomes available in the Police Department.

Board Member Landis moved to approve the request. Second by Mayor Stutsman and motion passed unanimously.

**REQUEST TO APPROVE CONDITIONAL OFFER OF EMPLOYMENT AGREEMENT
WITH MATTHEW A. DUNITHAN**

Legal Compliance Administrator Shannon Marks requested Board approval for the Conditional Offer of Employment Agreement with Matthew A. Dunithan and execute the agreement which sets forth the prerequisites to beginning employment with the Goshen Fire Department. Matthew must first complete and pass the baseline statewide physical and mental examinations, and then the Board of Public Works and Safety will be requested to confirm the offer of employment when a position opening becomes available in the Fire Department.

Matthew is currently certified as a paramedic and agrees to serve as an active paramedic for the Fire Department for at least six full years upon beginning employment. The City will pay

Matthew a \$7,500.00 bonus payment upon completion of the one year probationary period with the Fire Department. Matthew agrees to repay the City a prorated portion of the bonus payment in the event he does not serve six full years as an active paramedic.

Board Member Landis moved to approve the request. Second by Mayor Stutsman and motion passed unanimously.

**REQUEST TO APPROVE RESOLUTION 2016-N: AUTHORIZING
THE PURCHASE OF AN ASPHALT PAVER**

Legal Compliance Administrator Shannon Marks requested Board approval of Resolution 2016-N, Authorizing the Purchase of an Asphalt Paver. Indiana Code 5-22-10-5 allows for a special purchase to be made when there exists a unique opportunity to obtain any equipment at a substantial savings to the Goshen Board of Public Works and Safety. The Goshen Street Department has leased and used a 2015 Weiler P385A asphalt paver, and was very satisfied with the performance of the equipment. MacAllister Rental, LLC has offered to sell the 2015 Weiler P385A asphalt paver to the City for \$135,000.00 which includes waiving a \$10,525.00 payment which would otherwise be due under the lease. The contract records for the special purchase authorized by this resolution shall be maintained by the Goshen Board of Public Works and Safety in a separate file in the Clerk-Treasurer's Office for a minimum of five years in accordance with Indiana Code 5-22-10-3.

Board Member Landis moved to approve the request. Second by Mayor Stutsman and motion passed unanimously.

**REQUEST TO APPROVE AGREEMENT WITH MACOG FOR TRAFFIC COUNTS –
JN: 2016-0003**

Administrative Utilities Engineer Dustin Sailor requested Board approval of the annual agreement with MACOG to supply the City of Goshen with Traffic Counts at locations listed in the agreement.

MACOG will also complete two intersection analyses, which will include collecting traffic counts at the intersection, turn movements, signal timing data, digital photography, accident data, GPS data and a geometric layout of the intersection. The two intersections will be:

- Hackett & State Road 15
- Eisenhower Drive North & US 33

The agreement is in the amount of \$2,000.00.

Board Member Landis moved to approve the request. Second by Mayor Stutsman and motion passed unanimously.

**REQUEST TO APPROVE AGREEMENT WITH JPR FOR DESIGN OF LINCOLN
AVENUE RECONSTRUCTION – JN: 2016-0025**

Administrative Utilities Engineer Dustin Sailor requested Board approval of an agreement with JPR for professional engineering services for the roadway design, drainage design, design of

bike and pedestrian accessibility, and permitting for the Lincoln Avenue Reconstruction from the Railroad to the Rock Run Creek Bridge. The contract price is not to exceed \$28,625.00.

Board Member Landis moved to approve the request. Second by Mayor Stutsman and motion passed unanimously.

PRIVILEGE OF THE FLOOR

Phil LaBar of Goshen had attended a neighborhood meeting last week and had discussed in the past about traffic issues on north 9th Street with the speeding vehicles among other issues. At one time on north 8th Street they installed a portable speed bump and it seemed to slow down the traffic in that area. It is requested that a portable speed bump be placed on north 9th Street, north of the intersection of Center Street to slow down the traffic in that area. There are also issues with visibility at that intersection that the Engineering Department will be looking into. But the neighborhood would like to see a temporary measure be in place until the other issues are resolved. Mayor Stutsman stated that he was at the neighborhood meeting and hasn't been able to discuss the issues with the Street Department to see what their thoughts are as of yet. Mayor Stutsman asked if he could talk with the Street Department first and get back with Mr. LaBar with an answer this week. Mr. LaBar agreed.

Dustin Miller from DJ Construction requested Board approval to close a section of Center Street from the north property line of the Boys and Girls Club down to 7th Street for their construction equipment as they would like to fence the construction area so vandals and children cannot enter. DJ Construction is working at the Boys and Girls Club on a construction project and provided a map for the Board to examine. They will gate the street entrance for deliveries and equipment. The Board discussed about notifying the neighbors, also contacting the Fire Department, Street Department and Police Department.

Mayor Stutsman moved to approve the request contingent upon DJ Construction contacting the Fire Department, Street Department and Police Department about the section of closure of Center Street at the Boys and Girls Club. Second by Board Member Landis and motion passed unanimously.

**PUBLIC HEARING ON ORDER OF THE GOSHEN BUILDING COMMISSIONER:
305 QUEEN STREET**

Mayor Stutsman opened the public hearing:

Owner Juan Carlos Palos is not present for the hearing.

City Attorney Larry Barks stated that certified mail was sent to Mr. Palos at two different locations, one at 305 Queen Street that came back unclaimed, and one to 4135 Tyler Lane which they did get signed.

Building Inspector Travis Eash stated he did the original inspection on June 4th, 2015 and found several items that were in violation and every attempt that he's had for inspection of the property has failed. This includes letters and phone calls, anything to get a hold of the owner. He has not

talked to the owner since the original inspection. Following are the violations to the Neighborhood Preservation Ordinance:

1. Violation of Section 6.3.1.1(3). Areas of the roof have shingles falling; shingles need to be re-secured.
2. Violation of Section 6.3.1.6(b)(3). All operable windows need insect screens installed.
3. Violation of Section 6.3.1.1(2). Hole in common area ceiling needs to be properly repaired.
4. Violation of Section 6.3.1.1(5). Basement stairs have begun to collapse and need to be properly repaired (bottom step).
5. Violation of Section 6.3.1.1(5). Front porch steps need to be properly tuck pointed.
6. Violation of Section 6.3.1.1(7). All chipping and peeling paint needs to be scraped and repainted (window trim).
7. Violation of Section 6.3.1.1(1). Electric panel needs knockouts installed.
8. Violation of Section 6.3.1.1(1). All junction boxes need proper covers installed (above electrical box and in basement).
9. Violation of Section 6.3.1.1(1). All open ground outlets need to be switched to FGCI outlets or covers switched to two prong outlet covers.
10. Violation of Section 6.3.1.1(1). Open electrical wiring in laundry room closet needs to be in conduit and properly secured.
11. Violation of Section 6.3.1.1(1). Light switch inside basement door needs to be properly secured.
12. Violation of Section 6.3.1.2(3). CPVC and ABS plumbing cannot be connected. Needs to be changed to all ABS or all CPVC plumbing.
13. Violation of Section 6.3.1.8©. Need to install a working smoke detector in main level bedroom.

Building Inspector Travis Eash stated that once in a while he is working on it. A neighbor stated to him that he comes and works on the property, but there are no building permits pulled for this property. This property has been vacant for over a year. Building Inspector Travis Eash went over the list with the Board and stated he isn't sure what is done on the inside as he hasn't been able to get into the home but he did state that it did look like some roof work was done.

Board Member Landis moved to find violations 9, 10 and 13 make the property at 305 Queen Street unsafe. Second by Mayor Stutsman and motion passed unanimously.

Board Member Landis moved to have the violations of the Neighborhood Preservation Ordinance completed by July 27th, 2016 and if not completed by that date the property will be referred to the Legal Department for court proceedings. Second by Mayor Stutsman and motion passed unanimously.

There being no further business Mayor Stutsman moved to process claims and then to adjourn. Second by Board Member Landis and motion passed unanimously.

BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD:

MAYOR JEREMY STUTSMAN _____

BOARD MEMBER MITCHELL DAY _____

BOARD MEMBER MICHAEL A. LANDIS _____

ATTEST _____
CLERK-TREASURER TINA M. BONTRAGER